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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,067	08/25/2003	Keizo Suzuki	9333/351	3368

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EXAMINER

NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/648,067

Applicant(s)

SUZUKI, KEIZO

Examiner

CUONG H. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/25/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This Office Action is the answer to the communication received on 12/19/2003 (relating to Oath/Declaration).

Claims 1-18 are pending in this application.

#### *Priority*

2. Acknowledgment is made of applicant's claim for foreign priority based on JPO - 08/26/2002.

#### *Drawings*

3. This application is submitted with 8 sheets of formal drawings (Figs. 1-12). They are accepted by the examiner.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

*(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

4. Claims 1-5, 7-8, 15, and 18 are rejected under 35 U.S.C.

§ 102(b) as being anticipate by Ando et al. (US Pat. 6,230,098).

A. As for "apparatus" claims 1, 13: Ando et al. teach a vehicle navigation system, comprising:

- a display (see Ando et al., Fig.1 ref. 18);
- a database operable to store pre-update navigation data and difference data (see Ando et al., Fig.1 refs. 22, 32);

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- a difference data receiver operable receive difference data (see Ando et al., Fig.1 ref. 32);
- a difference data processor operable to generate freshness information based on the received difference data and pre-update navigation data (see Ando et al., Fig.1 ref. 26); and
- a display controller operable to generate images corresponding to map information, vehicle position, guidance information and freshness information for presentation on the display (see Ando et al., Fig.1 ref. 18, and Fig.3).

B. Re. to dependent "apparatus" claims 2, 18:

Ando et al. inherently teach that a difference data is a point of interest (POI) data since POI is merely a name of a location (i.e., a landmark).

C. Re. to dependent "apparatus" claim 3:

Ando et al. teach a difference data receiver receives difference data from a broadcast system (see Ando et al., Fig.1 ref. 40).

D. Re. to dependent "apparatus" claim 4:

Ando et al. inherently teach that a display, a database, a difference data receiver, a difference data processor and display controller are connected with a communication bus (see Ando et al., Fig.1 ref. 10).

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E. As for dependent "apparatus" claim 7: Ando et al. also teach about update/freshness information (see Ando et al., 1:35-39 i.e., determining a location was not included in navigation data).

F. As for dependent claim 15: This claim contains similar limitations as in above-rejected claim 7 although claim 15 is directed to a step of determining "new" or "old" of an information/a location, then display that outcome; therefore, similar rationales and reference set forth are applied.

G. As for dependent "apparatus" claim 8: Ando et al. teach that information includes an "update" (that term already means a new date).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

5. Dependent claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ando et al. (US Pat. 6,230,098).

The rationales and reference for rejection of claim 1 are incorporated.

Ando et al. do not disclose about "a reliability assessment".

However, it would have been obvious that a given information source after a selection process should be reliable;

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therefore, "a reliability assessment" is merely "a function" would have been done by Ando et al.'s apparatus because "a selection section 56" is capable to perform that claimed function (see Ando et al., Fig.1 ref.52, and 6:32-42, 7:11-16, 8:54-57).

6. Claims 9-12, 14, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ando et al. (US Pat. 6,230,098), in view of the Official Notice.

A. As for dependent claims 9, 16:

The rationales and reference for a 102(b) rejection of claim 1 are incorporated.

Ando et al., suggest about generating updated navigational information. They do not expressly disclose a list of location names.

The examiner respectfully submits that displaying a list of updated location is old and well-known, and Ando et al.'s management file structure Fig.9, and display 18 is capable to perform such function.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement Ando et al.'s apparatus by displaying a list including location names and freshness information for each location name because the only old and well-known function is retrieving said information from Ando et al.'s "management file structure".

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B. As for dependent claims 10-12, 17:

The rationales and reference for a 102(b) rejection of claim 1 are incorporated.

Ando et al., do not disclose different ways/formats to represent freshness information.

However, the examiner respectfully submits that Excel software of Microsoft provides that function (e.g. displaying a result by bar-chart for representing a different in size, or a pie-chart, or by different colors to draw attention of users.

C. As for dependent claim 14:

The examiner respectfully submits that claim 14 limitations are similar to a combination of limitations of claim 6, and claims 10-12; therefore, similar rationales and reference set forth are applied for an obviousness rejection for claim 14.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement above idea of Microsoft's Excel with Ando et al.'s displayed representation for the benefit of making different representations to draw users' attention.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7am - 3:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-8233. The fax phone number for the organization where this application is assigned is 703-305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Cuong H. Nguyen*

  
CUONG H. NGUYEN  
Primary Examiner  
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